PTO/SB/21 (09-04)
Approved for use through 07/31/2006. OMB 0651-0031
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

OIPE IAP43 APR 05 2006 PATENT & TRADEMARK OFFICE

TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission: 27

Application Number	10/757,796
Filing Date	January 13, 2004
First Named Inventor	Jon C. Taenzer
Art Unit	2643
Examiner Name	Harvey, Dionne
Attorney Docket Number	035372-003

ENCLOSURES *(check all that apply)*

- ☐ Fee Transmittal Form
 - ☐ Fee Attached
- ☒ Amendment / Reply
 - ☐ After Final
 - ☐ Affidavits/declaration(s)
- ☒ Extension of Time Request
- ☐ Express Abandonment Request
- ☐ Information Disclosure Statement
- ☐ Certified Copy of Priority Document(s)
- ☐ Reply to Missing Parts/ Incomplete Application
 - ☐ Reply to Missing Parts under 37 CFR1.52 or 1.53
- ☐ Drawing(s)
- ☐ Licensing-related Papers
- ☐ Petition
- ☐ Petition to Convert to a Provisional Application
- ☐ Power of Attorney, Revocation Change of Correspondence Address
- ☐ Terminal Disclaimer
- ☐ Request for Refund
- ☐ CD, Number of CD(s) ____
 - ☐ Landscape Table on CD
- ☐ After Allowance Communication to TC
- ☐ Appeal Communication to Board of Appeals and Interferences
- ☐ Appeal Communication to TC **(Appeal Notice, Brief, Reply Brief)**
- ☐ Proprietary Information
- ☐ Status Letter
- ☒ Other Enclosure(s) *(please identify below)*:
 Second Declaration of Jon C. Taenzer Under 37 CFR 1.31; Credit Card Payment Form; Return Postcard

Remarks

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm	Thelen Reid & Priest LLP		
Signature	S. Bhat		
Printed Name	Suvashis Bhattacharya		
Date	April 3, 2006	Reg. No.	46,554

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Signature	Kathleen K. Muto		
Typed or printed name	Kathleen K. Muto	Date	April 3, 2006

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

OIPE IAP43
APR 05 2006
PATENT & TRADEMARK OFFICE

COPY

DOCKETED
DEC - 8 2004

Serial/Patent.No.: 10/757,796 Filing/Issue Date: 1/13/04

Applicant: Jon C. Taenzer et al

Title: Earset Assembly

TRP Docket No.: 035372-003 Atty/Secty Initials: REK/HB/av

Date Mailed: 11/22/04 Docket Due Date: 11/22/04

The following has been received in the U.S. Patent & Trademark Office on the date stamped hereon:

NOV 26 2004

- ☐ Amendment/Response (_____ pgs.)
- ☐ Appeal Brief (_____ pgs.) (in triplicate)
- ☐ Application - Utility (_____ pgs. with cover & abstract)
- ☐ Application – Rule 1.53(b) Continuation (_____ pgs.)
- ☐ Application – Rule 1.53(b) Division (_____ pgs.)
- ☐ Application – Rule 1.53(b) CIP (_____ pgs.)
- ☐ Application - Rule 1.53(d) CPA (_____ pgs.)
- ☐ Application - PCT (_____ pgs.)
- ☐ Application - Provisional (_____ pgs.)
- ☐ Assignment and Cover Sheet
- ☐ Certificate of Correction
- ☒ Certificate of Mailing
- ☐ Declaration & POA (_____ pgs.)
- ☒ Fee Transmittal IN DUPLICATE
- ☐ Drawings (informal):
 _____ # of sheets includes _____ figures
- ☒ Other:
 Patent Practitioner to be Made of Record

- ☐ IDS & PTO 1449 (_____ pgs.)
- ☐ _____ Pieces of Prior Art Enclosed
- ☐ Issue Fee Transmittal
- ☐ Submission of Formal Drawings:
 _____ # of sheets includes _____ figures
- ☐ Notice of Appeal
- ☐ Postcard
- ☐ Preliminary Amendment (_____ pgs.)
- ☐ Reply Brief (_____ pgs.)
- ☐ Req and Cert. Not to Publish – Rule 1.213
- ☐ Request for Continued Examination (RCE) (_____ pgs.)
- ☒ Request for Extension of Time 5 Month(s)
- ☒ Response to Notice to File Missing Parts
- ☒ Copy of PTO Notice to File Missing Parts
- ☒ Transmittal Letter ~~(original & copy)~~
- ☐ Express Mail No.: _____
- ☐ Check(s) $_____
- ☐ Deposit Acct. No. 50-1698 $_____
 Patent Code: _____
 Client/Matter # _____

BEST AVAILABLE COPY